

Child Protection Accountability Commission
MEETING MINUTES
January 8, 2003
8:30 a.m.-11:30 a.m.

Those in attendance:

Lynne Howard
Allan DeJong, MD
Peter Feliceangeli, Esquire
John Humphrey
Janice Mink
Roger Blevins
M. Jane Brady, Esquire
Anne Pedrick
Candace Charkow
Jim Apostolico, Esquire
Mary Deitch
Mark Daniels
Marianne Kenville-Moore
Wendy Gerlach

Susan Cycyk
Mary Lou Edgar
Carlyse Giddins
Rep. Pamela Maier
Commissioner Patricia Stewart
Mary Ball Morton
M. C. Landis, Esquire
Joseph Smack
Donald Roberts, Esquire
Laura Miles
Gerry Donovan
Amy Hickey
Trish Hearn
Betsy Ferry

Introductions and Announcement by Lynne Howard. Lynne announced her resignation as chair of CPAC. New person has not been announced yet. Should have information within the next month

Motion to approve the minutes was passed with minor corrections to be made.

DFS Update by Carlyse Giddins:

Intake Statistics – trend shows an 8% decrease from the previous year.
Explanation that this was happening due to increased awareness of the public.
Due to the economy decrease a large increase was expected. So far this has not been the case.

Current staff turnover was at about 6.3% at mid-year. This is still better than the previous year. There will be approximately 13 over-hire vacancies by the end of month. The experience level for staff within the treatment unit remains the same, whereas investigation experience is low since this has the greatest turnover. 48% of the staff does have more than 2 years of investigations experience. Candy Charkow has commissioned a work group to look at and strengthen investigations.

Handouts were given -- a copy of a newspaper article about foster care. The timing was perfect for the recruitment campaign. Ads, campaign and radio ads will be published, particularly for siblings and teens. Additionally, a group home opened September 2002 in Sussex County. The Department is optimistic for an increase in the budget. Last year, DFS received funds for recruitment. \$70,000 was received, but gave \$30,000 back due to difficult financial budgetary times.

They are currently working on developing a speaker's bureau for foster care to help get the message out about foster care and recruitment. Delaware Help Line is a number that can be called if interested in becoming a foster parent.

Respite care did not receive specific funding and it is being considered as a cluster project. More focus is on foster care, rather than respite care. Received funding for 82 children to get support at a higher level to help balance the needs of children challenged with behavioral and emotional problems. Completed assessment for all children in kinship care -- \$50,000 received which is monitored and distributed through DHSS.

Candy Charkow distributed the DFS summary sheets. Caseload size is calculated by FTE Positions not by a fully functioning worker. (Those on medical leave not included in the FTE calculation). DFS in the month of June 2002 investigated 350 new cases. This was an increase of 200 per month. Many employees have shifted positions but they are seeing excellent teamwork. Caseload averages are almost manageable.

Office of the Child Advocate – Updates by M.C. Landis:

Staff updates- new Office Manager – Wendy Gerlach. Nicole Tomlin has left for the Teach for America position so the clerical casual/seasonal position will remain vacant during the hiring freeze. During Tania's maternity leave, OCA will have a part-time attorney (Ann Marie Johnson, Esquire) who will work on recruiting pro bono attorneys and assigning them cases, as well as cover Tania's cases. M.C. will serve as Acting Child Advocate while maintaining her current caseload.

M.C. Landis explained that the OCA is in the process of building a database. OCA trained approximately 125 – 150 *pro bono* attorneys in 2002. Family Court is sending OCA approximately 7-10 cases per week. Court ordered referrals are taking a priority for response time versus community referrals. One of the part-time social workers is out on medical leave, so the Program Administrator is currently doing some of the social work duties which delays the response time in reviewing a community referral. 50 cases are currently pending disposition in the review process.

Program Administrator is currently working on a grant from the American Bar Association for training *pro bono* attorneys.

Are we competing with CASA in the courts? Has there been enough judicial training? MC discussed that the OCA coordinates with CASA and to her knowledge there is not a competition.

Discussion 10-23 Child Death Review Commission

A letter to the Governor was sent regarding the first expedited abuse/neglect reviews by the Child Death Review Panel. The recommendations met the goal of this new process in a timely fashion and identified system wide problems. There continues to be problems regarding cases with pending prosecution and panel members feeling comfortable to remain in the room. Attorney General Jane Brady offered that she would look at the person representing the agency and see if that person being present would compromise the prosecution case. Each individual and case would be uniquely reviewed on a "case by case" basis by the Attorney General's office. If there is a potential witness on one of the panels, the respective agency would send another representative. The Child Death Review Commission agreed that they would attempt to adhere to the Attorney General's Office's requests by not having witnesses being present that would have to testify. Others issues discussed were the need for a quorum to vote and how to make this process more productive. Everyone agrees that there is a need to find a way to make this work. It was also suggested to do a case review follow up after prosecution was complete. This was discussed in the initial Child Death Review Process Subcommittee.

It was suggested that the Office of Case Management review the way that they conduct their root cause analyses so that it will not conflict with criminal prosecution. Attorney General Jane Brady discussed the Attorney General's Office having an ethical obligation to protect their evidence in cases. Attorney General Jane Brady expressed concern about panel members talking to anyone outside the Child Death Review Panel room and that they might say something that implies guilt and something that implies innocence. The point was brought up that the Rights of disclosure in the Constitution override her concerns.

This will be a discussion topic at the next meeting.

Children's Advocacy Center Update by John Humphrey.

They have a location for their new office in Dover. It will be at the St. Jones Treatment Center. They will be starting interviews next week for the forensic interview specialist. Next step in their plan is to locate space in Georgetown and move the Milford site to Georgetown. The Dover Center will need to be up and running prior to this happening.

The Training Consortium is planning a two-day training conference on child welfare. Tentatively scheduled for April. Want to have active participants, from different disciplines. The theme is “Working together for Delaware’s Children”. This will put everyone on the “same page” and re-emphasize the Memorandum of Understanding between the various disciplines. They are hoping to hear from APRI (American Prosecutors Research Institute) to facilitate the conference. Currently they are designing a website and anyone wanting their name as a resource, or a training offered, please email amyhickey@comcast.net

Department of Justice Update:

They have filled two out of the three new Deputy positions (civil side). Got permissions to fill the 3rd position under the hiring freeze waiver. Funding for the three positions from reallocated funds. The Domestic Violence unit is currently fully staffed.

Speaking on behalf of K/S, DOJ is very excited about the expansion of the CAC in Dover.

Additional Discussion:

The Children’s Department will be posting a position of a Holistic Health Supervisor who will oversee a unit that will take on the most difficult cases who are active with all three agencies. The unit will oversee 45 New Castle County cases as a pilot program. It will expand statewide as the future budget will allow. This is one of the most promising projects to be introduced in a long time.

Next meeting April 9th at 9:00 a.m.. New Chair will be announced.

Meeting adjourned.